



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/862,865
Applicants : Richard P. Coupland, et al.
Filed : May 22, 2001
Art Unit : 3625
Examiner : Matthew S. Gart
Docket No. : 013603.6 (PEGA-0002)
Customer No. : 33649
Title : SYSTEM AND METHOD FOR PROVIDING LODGING
RESERVATIONS DATA

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8: I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on May 15, 2006.

Christopher Kourk

COMMENTS ON EXAMINER'S REASONS FOR ALLOWANCE

Dear Sir:

In regards to the Notice Of Allowance mailed February 14, 2006, it is noted that the Examiner has failed to provide any reasons why the noted difference between the allowed claims and the prior art is considered to define the allowed claims over the prior art, and the reason therefore is not clear in the record. For example, in the decision of the Board of Patent Appeals and Interferences mailed September 30, 2005, the Board found in favor of the arguments put forward by the Applicants, namely, that the construction of claims 2, 8, 13 and 17 adopted by the Examiner was improper, whereas the Examiner states in the Reasons for Allowance that the claims are allowable because MacDonald does not anticipate nor fairly and reasonably teach certain claim elements. As such, the statement on the Reasons for Allowance fails to address the proper construction of the claims, as well as the improper construction that led to the rejection of

the claims. As claim construction relies on the claims as a whole, the specification and the prosecution history, merely stating that MacDonald does not anticipate nor fairly and reasonably teach certain claim elements fails to provide any reasons why the noted difference between the allowed claims and the prior art is considered to define the allowed claims over the prior art.

Dated: May 15, 2006

Respectfully submitted

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